



START

Department of Energy

Richland Operations Office
P.O. Box 550
Richland, Washington 99352

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AUG 2, 1991

91-EAB-211

Mr. Paul T. Day
Hanford Project Manager
U.S. Environmental Protection Agency
712 Swift Blvd. Suite 5, MSIN: B5-01
Richland, Washington 99352

Mr. Timothy L. Nord
Hanford Project Manager
State of Washington
Department of Ecology
Mail Stop PV-11
Olympia, Washington 98504-8711



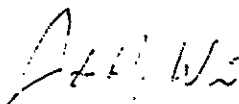
Dear Messrs. Day and Nord:

SUGGESTED REVISIONS TO HANFORD FACILITY DANGEROUS WASTE PERMIT DRAFT

At the meeting held with you on July 26, 1991, we requested an opportunity to provide suggested revisions to drafts of the Hanford Facility Dangerous Waste Permit provided to us on June 18, 1991, and July 23, 1991. We have proceeded in preparing such revisions in accordance with our understanding that you would consider our suggested changes in your next revision of the draft permit to be completed by August 9, 1991. The attached draft permit has been annotated using either text highlighting or cross-outs to denote our suggested revisions. Due to the limited time available for our review of the draft permit, and the limitation of that review to staff-level personnel, the attached revisions should not be viewed to be all inclusive or final.

If you have any questions, please feel free to call me on (509) 376-6798 or Mr. C. E. Clark of the Environmental Restoration Division on (509) 376-9333.

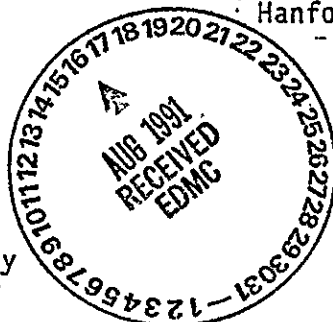
Sincerely,


Mr. S. H. Wisness
Hanford Project Manager

ERD:CEC

Attachment

cc w/att:
T. D. Chikalla, PNL
D. L. Duncan, EPA
R. E. Lerch, WHC
T. M. Michelena, Ecology
D. C. Nylander, Ecology
~~T. B. Veneziano, WHC~~



PERMIT
FOR THE STORAGE, TREATMENT AND DISPOSAL
OF DANGEROUS WASTE

Department of Ecology	Environmental Protection Agency
Hanford Project	Region 10
Mail Stop PV-11	1200 Sixth Avenue, HW-112
Olympia, Washington 98504	Seattle, Washington 98101
Telephone: (206) 438-7021	Telephone: (206) 442-1236

Issued in accordance with the applicable provisions of the Hazardous Waste Management Act, Chapter 70.105 RCW, and the regulations promulgated thereunder in Chapter 173-303 WAC and the Solid Waste disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), and the regulations promulgated thereunder in Title 40 of the Code of Federal Regulations.

ISSUED TO: U.S. Department of Energy
~~Field Office, Richland-Hanford Facility~~
P.O. Box 550
Richland, Washington 99352
Telephone: (509) 376-XXXX

Westinghouse Hanford Company	Battelle Pacific Northwest
P.O. Box 1970	Laboratory
Richland, Washington 99352	P.O. Box 999
	Richland, Washington 99352

This permit is effective as of ~~April~~ March 1, 1991 ~~1992~~ and shall remain in effect until ~~April~~ March 1, 2001 ~~2002~~ unless revoked and reissued, or terminated under WAC 173-303-830(3) and (5) or continued in accordance with WAC 173-303-803(7).

ISSUED BY: WASHINGTON STATE DEPARTMENT OF ECOLOGY AND
U.S. ENVIRONMENTAL PROTECTION AGENCY -
REGION X

Roger F. Stanley	Charles E. Findley, Director
Program Manager	Hazardous Waste Division
Department of Ecology	Environmental Protection Agency

Date: _____ Date: _____

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21			
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23		and Storage	Reserved
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26		Storage Unit	Reserved
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28	Chapter 25	325 Waste Treatment Facility	Reserved
29			
30	Chapter 26	8 Plant	Reserved
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32	Chapter 27	222-S Laboratory	Reserved
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50			
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1	Chapter 37	300 Area Process Trenches	Reserved
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6			
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10			
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16			
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19	Chapter 46	105 DR	Reserved
20			
21	Chapter 47	Thermal Treatment	Reserved
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23	Chapter 48	Physical/Chemical Treatment	Reserved
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38			
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42			
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INTRODUCTION

Pursuant to Chapter 70.105 RCW, The *Hazardous Waste Management Act of 1976*, as amended, and regulations promulgated thereunder by the Washington State Department of Ecology (hereafter called the Department), codified in Chapter 173-303 Washington Administrative Code (WAC), Dangerous Waste Regulations, and, pursuant to the Solid Waste Disposal Act (42 U.S.C. 3251 *et seq.*) as amended by the *Resource Conservation and Recovery Act of 1976* (RCRA), Public Law 94-580, and the *Hazardous and Solid Waste Amendments of 1984* (HSWA), and regulations promulgated thereunder by the U.S. Environmental Protection Agency (hereafter called the Agency), codified in Title 40 of the Code of Federal Regulations, a permit is issued to U.S. Department of Energy ~~Field Office, Klamath (USDOE) - Hanford Facility~~, Westinghouse Hanford Company (WHC) and Battelle Pacific Northwest Laboratories (PNL) (hereafter called the Permittees), to operate a dangerous waste storage, treatment and disposal facility located at the Hanford Facility (Attachment xx).

The Permittees must comply with all terms and conditions set forth in this permit and in Attachments ~~21~~ through xx. When the permit and ~~and the~~ attachments conflict, the wording of the permit will prevail. The Permittees must also comply with all applicable state regulations, including Chapter 173-303 WAC and as specified in the permit. Additionally, the Permittees must comply with all applicable federal regulations, including 40 CFR Parts 260 through 266, Part 268, and Part 270.

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1 Applicable state and federal regulations are those which are in effect
2 on the date of final administrative action (to include modifications) on this
3 permit and any self-implementing statutory provisions and related regulations
4 which, according to the requirements of HSWA or other law, are automatically
5 applicable to the Permittee's dangerous waste management activities,
6 notwithstanding the conditions of this permit.

7
8 This permit is based upon the administrative record, as required by
9 WAC 173-303-840. The Permittee's failure in the application or during the
10 permit issuance process to fully disclose all relevant facts, or the
11 Permittee's misrepresentation of any relevant facts at any time, shall be
12 grounds for the termination or modification of this permit and/or initiation
13 of an enforcement action, including criminal proceedings. The Permittees must
14 inform the Director and the Administrator of any deviation from permit
15 conditions or changes in the information on which the application is based
16 which would affect either the Permittee's ability to comply or actual
17 compliance with the applicable regulations or permit conditions or which
18 alters any condition of this permit in any way.

19
20 The Department shall enforce all conditions of this permit for which the
21 State of Washington is authorized. Any challenges of any permit condition
22 that concern state requirements, (i.e., conditions of this permit for which
23 the State of Washington received final authorization) shall be ~~appealed to the~~
24 ~~Department in accordance with WAC 173-303-845, resolved pursuant to the Dispute~~
25 ~~Resolution Procedure of Article VIII of the WACO~~ In the event that the

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1 Department does not maintain final authorization, the Agency will enforce all
2 permit conditions.

3
4 The Agency shall enforce all permit conditions which are based on
5 federal regulations promulgated under HSWA, but have not yet been adopted by
6 the State of Washington and have not been included in the state's authorized
7 program, and, in such capacity, shall enforce any permit condition based on
8 state requirements if, in the Agency's judgment, the Department should fail to
9 enforce that permit condition, ~~except that in no case shall the Agency enforce~~
10 ~~any permit condition designated as a state requirement only. Any challenges~~
11 ~~to Agency enforced conditions shall be resolved pursuant to the Dispute~~
12 ~~Resolution Procedure of Article XV of the FFACO.~~

13
14 In the event that the State of Washington receives authorization from
15 the Agency to implement additional regulations promulgated under RCRA, as
16 amended by HSWA, the Department shall assume enforcement responsibility for
17 existing permit conditions that are based on these requirements. Table 1
18 identifies which condition(s) the Department and/or the Agency shall enforce.

19
20 This permit has been developed to allow a step-wise permitting process
21 on the Hanford Facility to ensure the proper implementation of the Hanford
22 Federal Facility Agreement and Consent Order (FFACO). In order to accomplish
23 this, this permit consists of four (4) Parts.

24
25 Part I, Standard Conditions, are those conditions which appear in all
26 RCRA permits.

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1 Part II, General Facility Conditions, combines typical RCRA permit
2 conditions with those conditions intended to address issues specific to the
3 Hanford Facility. The General Facility Conditions are intended to act as
4 "umbrella" permit conditions for the Hanford Facility, i.e., these conditions
5 are broad in nature and apply to all Dangerous Waste Management activities at
6 the Facility. ~~The General Conditions also address those dangerous waste~~
7 ~~management activities which may not be directly associated with a distinct~~
8 ~~operating unit (i.e., transportation, groundwater monitoring, contingency~~
9 ~~planning, etc.) at those units on the Facility which have final status under~~
10 ~~this permit.~~

11
12 Part III, Unit Specific Conditions, contains those permit requirements
13 which apply to each individual ~~ISU~~ dangerous waste management unit.
14 Conditions for each ~~ISU unit~~ Dangerous Waste Management Unit are found in a
15 chapter dedicated to that unit. These unit specific chapters contain
16 references to General Conditions (Part II), as well as additional requirements
17 which are intended to ensure that each unit is operated in an efficient and
18 environmentally protective manner.

19
20 Part IV, Corrective Action for Continuing Releases, contains those
21 permit requirements which apply to RCRA past practice investigation and
22 remediation. Part 4 will consist of two (2) sections. First, those units
23 which are identified as RCRA Past Practices and any newly identified units
24 which are or will be included in the future into the FFACD in Operable Units.
25 The second section consists of those units which are not subject to inclusion

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1 into the FFACO. These units will undergo past practice investigations and
2 remediation, if necessary, in schedules identified in this permit.

3
4 Table 1

5
6 Condition Regulatory Authority Enforcing Agency
7
8
9
10
11

12 LIST OF ATTACHMENTS
13

14 The following listed documents are hereby ~~included for reference in this~~
15 ~~permit and will be incorporated in part or in whole as specifically set forth~~
16 ~~hereafter~~ incorporated in their entirety by reference into this permit unless
17 specified in Parts II, III and/or IV of this permit. Some of the documents
18 are excerpts from the Permittee's Dangerous Waste Permit Applications. The
19 Department and the Agency have, as deemed necessary, modified specific
20 language in ~~Attachments 2-5~~ the attachments. These modifications are
21 described in the Permit conditions (Parts I through IV), and thereby supersede
22 the language of the attachment. ~~Any~~ These incorporated ~~portions of~~
23 attachments are enforceable conditions of the permit, as modified by the
24 specific permit condition. ~~For the enforceability and effect of Attachment 1,~~
25 ~~see conditions I.A.2 and IV.A.~~
26

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- 1 Attachment 1 Hanford Federal Facility Agreement and Consent Order, May
- 2 1989 (As Amended August 1990 and in the future)
- 3
- 4 Attachment 2 Purgewater Management Plan
- 5
- 6 Attachment 3 List of Interim Status Units
- 7
- 8 Attachment 4 Facility Wide Contingency Plan
- 9
- 10 Attachment 5 Facility Wide Emergency Plan
- 11
- 12 Attachment 6 Facility Wide Preparedness and Prevention Plan
- 13
- 14 Attachment 7 Facility Wide Quality Assurance/Quality Control Plan
- 15
- 16 ~~Attachment 8 Environmental Site Characterization Manual~~
- 17
- 18 Attachment 9 Facility Wide ~~Dangerous Waste~~ Personnel Training Plan
- 19
- 20 Attachment 10 Facility Wide Background Determination Plan
- 21
- 22 Attachment 11 Facility Wide Well Construction Requirements
- 23
- 24 Attachment 12 Facility Wide Inspection Plan
- 25
- 26 Attachment 13 Hanford Facility Part A Application

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1 Attachment 14 616 Nonradioactive Dangerous Waste Storage Facility Part B
2 Permit Application
3

4 ~~Attachment 15 300 Area Solvent Evaporator Closure Plan~~
5

6 ~~Attachment 16 Simulated High Level Waste Treatment/Storage Facility~~
7 ~~Closure Plan~~
8

9 ~~Attachment 17 183 H Solar Evaporation Basin Closure Plan~~
10

11 ~~Attachment 18 2727 S Nonradioactive Dangerous Waste Storage Unit Closure~~
12 ~~Plan~~
13

14 DEFINITIONS

15
16 For purposes of this joint permit, the following definitions shall
17 apply:
18

19 a. The term "permit" shall mean the joint permit issued by the
20 Washington State Department of Ecology, pursuant to Chapter 70.105
21 RCW and Chapter 173-303 WAC, and by the Environmental Protection
22 Agency, Region 10, pursuant to 42 U.S.C. 3251 et seq. and 40 CFR
23 Parts 124 and 270.
24

25 b. The term "Director" shall mean the Director of the Washington
26 State Department of Ecology or a designated representative. The

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1 Program Manager (with the address as specified on page one of this
2 permit) is a duly authorized and designated representative of the
3 Director for purposes of this permit.
4

5 c. The term "Administrator" shall mean the Administrator of the U.S.
6 Environmental Protection Agency (EPA) or a designated
7 representative. The Director, Hazardous Waste Division, EPA
8 Region 10 (with the address as specified on page one of this
9 permit), is a duly authorized and designated representative of the
10 Administrator for purposed of this permit.
11

12 d. The term "Department" shall mean the Washington State Department
13 of Ecology (with the address as specified on page one of this
14 permit).
15

16 e. The term "Agency" shall mean the U.S. Environmental Protection
17 Agency, Region 10 (with the address as specified on page one of
18 this permit).
19

20 f. The term "facility" shall mean the physical description of the
21 property (including structures, appurtenances, ~~and~~ improvements) and
22 ~~all contiguous land owned by the permittee-permittees) where PSD~~
23 ~~activities are conducted.~~ This property description is as set
24 forth in Attachment XX of this permit. ~~The facility is a single~~
25 ~~site for purposes of provisions regulating off-site or on-site~~
26 ~~waste handling.~~

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1 g. The term "unit" shall mean ~~each individual RSU~~ the physical
2 ~~description of the property~~ (including structures, appurtenances,
3 and improvements) as ~~set forth in attachment xxx.~~ ~~described in the~~
4 ~~individual unit chapters under Part III~~

5
6 h. The term "hazardous or dangerous waste" shall, in addition to the
7 definition in WAC 173-303-040, mean ~~the nonradioactive hazardous~~
8 ~~component of~~ wastes commonly called mixed wastes (i.e., those
9 wastes which are ~~both~~ hazardous and radioactive).

10
11 ~~xx. The term "owner" shall mean the United States Department of Energy~~

12
13 i. The term ~~owner/operator/co-operator~~ shall mean The United States
14 Department of Energy. ~~Westinghouse Hanford Company and/or~~
15 ~~Battelle Pacific Northwest Laboratory and their successors.~~

16
17 i. The term "reasonable times" shall mean normal business hours,
18 hours during which production, treatment, storage, construction,
19 disposal or discharge occurs or times when the department suspects
20 a violation ~~is in progress~~ requiring immediate inspection.

21
22 i. All definitions contained in 40 CFR Sections 124.2, 260.10, 270.2,
23 264.141, and WAC 173-303-040 are hereby incorporated, in their
24 entirety, by reference into this permit, except that any of the
25 definitions used above, (a) through (g), shall supersede any

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definition of the same term given in 40 CFR 124.2, 260.10, 270.2,
264.141, and WAC 173-303-040.

~~The term "FFACO" means the Hanford Federal Facility Agreement and
Consent Order, dated May 1989, as amended August 1990, and as it
may be amended from time to time, including the Action Plan
incorporated in the FFACO (Attachment 1)~~

~~II.~~ All definitions contained in the Hanford Federal Facility
Agreement and Consent Order (FFACO), May 1989, as amended, are
hereby incorporated, in their entirety, by reference into this
permit, except that any of the definitions used above ~~in~~ (a)
through (h) shall supersede any definition of the same term given
in the FFACO.

~~III.~~ Where terms are not defined in the regulations, the permit or the
FFACO, the meaning associated with such terms shall be defined by
a standard dictionary reference or the generally accepted
scientific or industrial meaning of the term.

PART I - STANDARD CONDITIONS

I.A. EFFECT OF PERMIT

I.A.1. The Permittees ~~is~~ are authorized to store, treat and dispose
of dangerous waste in accordance with the conditions of this

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1 permit and in accordance with the applicable provisions of
2 WAC 173-303. Any storage, treatment, or disposal of
3 dangerous waste by the Permittees at this facility that is
4 not authorized by this permit or by WAC 173-303 and for
5 which a permit is required under Section 3005 of RCRA, is
6 prohibited. ~~Compliance with this permit constitutes~~
7 ~~compliance, for purposes of enforcement, with subtitle C of~~
8 ~~RCRA as amended by HSWA for the dangerous waste activities~~
9 ~~identified and included in this permit, except for any self-~~
10 ~~implementing provisions and related regulations provided by~~
11 ~~HSWA.~~

12
13 ~~I.A.x Westinghouse Hanford Company and Battelle Pacific~~
14 ~~Northwest Laboratory shall normally only be responsible for~~
15 ~~those units or areas of the facility for which they have~~
16 ~~primary responsibility for daily operations.~~

17
18 I.A.2 Coordination With the FFACO

19
20 Each unit shall have a final facility application or
21 closure/post-closure plan submitted to the Department and
22 the Agency in accordance with the ~~schedules identified in~~
23 the FFACO (Milestone M-20-00). Upon successful completion
24 of the permit or closure plan review, each unit shall be
25 incorporated into this permit in accordance with the Class 3
26 permit modification procedure identified in condition I.D.3

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of this permit. Those ~~TSB~~ dangerous waste management units which are recognized as interim status units (Attachment xx) shall continue to operate under the interim status provisions of WAC 173-303 until a final permit decision is made.

I.A.2.a Incorporation of the FFACO

~~Parts One, Two, Four, and Five of the FFACO govern the schedule and procedure for completion of RCRA permitting and Parts One, Three, Four and Five govern the schedule and procedure for RCRA corrective action under this permit, and are incorporated by reference. All Milestone schedules contained within the FFACO are hereby incorporated into this permit in their entirety. The FFACO Appendix D Milestones M-09-02, M-20-00 (and its supporting interim milestones), M-24-00 (and its supporting interim milestones), M-26-00 (and its supporting interim milestones) are hereby incorporated into this permit. Amendments to these milestones will be in accordance with Article XI of the FFACO. Also incorporated by reference into this permit are any other portions of the FFACO specifically identified within this permit. Those provisions of the FFACO dealing with RCRA permitting and corrective actions for RCRA Past Practices units are enforceable conditions of this permit, but provisions dealing with CERCLA Past Practices units are~~

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~~not enforceable. Compliance by Permittee with the FFACO shall stand in lieu of any other remedies, as set forth in Paragraphs 126 and 131 of the FFACO. These provisions of the FFACO which are not specifically referenced within this permit are not enforceable conditions of this permit. Should a conflict occur between specific language of this permit and the FFACO, the language of this permit shall prevail.~~

I.A.2.b

Termination of the FFACO

Should the FFACO for any reason be terminated as an enforceable document, all of the Milestones identified in the FFACO (including those units currently identified as GERCLA past practice units) ~~Section I.A.2.a above~~ shall be retained within this permit as fully enforceable conditions of this permit.

~~I.B. PERSONAL LIABILITY~~

~~The Permittees shall hold harmless and indemnify the Agency, the State of Washington, the Department and officers, employees, and agents of the Agency or the State of Washington from any claim, suit, or action arising from the activities of the Permittee or its contractors, agents, or employees under this permit.~~

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1

2

I.C.

PERSONAL AND PROPERTY RIGHTS

3

4

5

6

7

8

9

10

I.D.

PERMIT ACTIONS

11

12

I.D.1.

Modifications, Revocation, Reissuance, or Termination

13

14

15

16

17

18

19

20

21

22

23

24

This permit may be modified, revoked and reissued, or terminated by the Department for cause as specified in WAC 173-303-830(3), (4), and (5). For HSWA provisions that are not part of the state authorized program, the permit may be modified, revoked, and reissued or terminated for cause by the Agency as specified in 40 CFR Sections 270.41, 270.42, 270.43 or by the agency. ~~Before any such action the parties will utilize the Dispute Resolution Procedure of Article VIII or XI of the HSA as appropriate.~~

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1 I.D.2. Filing a Request

2
3 The filing of a request for a permit modification,
4 revocation and reissuance, or termination, or a notification
5 of planned changes or anticipated noncompliance on the part
6 of the Permittees shall not stay the applicability or
7 enforceability of any permit condition except as provided in
8 WAC 173-303-830(3), (4) and (5).
9

10 I.D.3 Modifications

11
12 I.D.3.a Except as provided by specific language in this permit, ~~or~~
13 ~~except for the Director's and the Administrator's approval~~
14 ~~of a Class 1 or Class 2 permit modification (in accordance~~
15 ~~with WAC 173-303-830(4), any approved modification or change~~
16 ~~in design or operation of this facility or an approved~~
17 ~~modification or change in a dangerous waste management~~
18 ~~practice covered by this permit must be administered as a~~
19 ~~Class 3 permit modification prior to such change taking~~
20 ~~place in accordance with WAC 173-303-830(3) and (4).~~
21 ~~however, particular modifications may be identified as Class~~
22 ~~1, 2, or 3 for this permit.~~
23

24 I.D.3.b. For corrective action programs administered per the
25 authority of the FFACO, the modification procedures of WAC
26 173-303-830(4) and 40 CFR Section 270.42 will be considered

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1 complied with ~~to comply with the incorporation into~~
2 ~~modification of the Work Plan in accordance with the FFACO~~
3 ~~this permit.~~

4
5 I.D.3.c. For any corrective actions required by this permit which are
6 outside the authority of the FFACO, the permit modification
7 procedures identified in I.D.3.a. will be followed.

8
9 ~~I.D.3.d. If the Permittees determine that the corrective action~~
10 ~~programs required by this permit (regardless of authorities)~~
11 ~~no longer satisfy the requirements of the regulations, the~~
12 ~~Permittees must, within ninety (90) days, submit a written~~
13 ~~request for a permit modification to make any appropriate~~
14 ~~changes to the program which will satisfy the regulations.~~

15
16 I.E. SEVERABILITY

17
18 I.E.1. Effect of Invalidation

19
20 The provisions of this permit are severable, and if any
21 provision of this permit, or the application of any
22 provision of this permit to any circumstance is contested
23 and/or held invalid, the application of such provision to
24 other circumstances and the remainder of this permit shall
25 not be affected thereby. Invalidation of any state or
26 federal statutory or regulatory provision which forms the

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1 basis for any condition of this permit does not affect the
2 validity of any other state or federal statutory or
3 regulatory basis for said condition.
4

5 I.E.2. Final Resolution

6
7 In the event that a condition of this permit is stayed for
8 any reason, the Permittees shall continue to comply with the
9 related applicable and relevant interim status standards in
10 WAC 173-303-400 until final resolution of the stayed
11 condition unless the Director and the Administrator
12 determine compliance with the related applicable and
13 relevant interim status standards would be technologically
14 incompatible with the compliance with other conditions of
15 this permit which have not been stayed.
16

17 I.F. DUTIES AND REQUIREMENTS

18
19 I.F.1. Duty to Comply
20

21 ~~DELETED~~ The Permittees shall comply with all conditions of this
22 permit, except to the extent and for the duration such
23 noncompliance is authorized by an emergency permit issued
24 under WAC 173-303-804 or 40 CFR 270.61 for HSWA provisions.
25 Any permit noncompliance other than noncompliance authorized
26 by an emergency permit constitutes a violation of

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Chapter 70.105 RCW and RCRA, as amended by HSWA, and is grounds for enforcement action, permit termination, modification or revocation and reissuance of the permit, and/or denial of a permit renewal application, subject to FEI.B.

FEI.B. Before taking any action based on Permittee's noncompliance with any provision of this permit, the Department shall give Permittee notice pursuant to Paragraph 28 of the FFACO. If necessary, the Dispute Resolution Procedure of Article VIII of the FFACO (or Article XV for Agency-enforced conditions) shall be invoked and completed prior to any enforcement action or other adverse action by the Department or Agency.

FEI.C. Notwithstanding any provision of this permit, nothing in this permit shall require Permittee to take any action which is inconsistent with the requirements of the Atomic Energy Act of 1954, as amended. Paragraph 5 of the FFACO shall govern any assertion of inconsistency with the Atomic Energy Act. Likewise, nothing in this permit shall require Permittee to take any Physically Inconsistent Action, as defined and governed by Paragraphs 79 and 80 of the FFACO.

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I.F.2. Compliance Not Constituting Defense

Compliance with the terms of this permit does not automatically constitute a defense to any order issued or any action brought under Section 3007, 3008, 3013, or Section 7003 of the RCRA (42 U.S.C. Sections 6927, 6928, 6934 and 6973), Section 104 or 107, and 106(a) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) [42 U.S.C. Section 9606(a)], as amended by the Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. 9601 et seq.), or any other federal, state or local law governing protection of public health or the environment from any imminent and substantial endangerment to human health or the environment, ~~to the extent they apply to the Hanford Facility.~~

~~However, compliance with the terms of this permit does constitute a defense to any action alleging failure to comply with the applicable standards on which this permit is based.~~

~~I.F.3. Budget Not Constituting Defense~~

~~Noncompliance with any condition of this permit due to a claim of monetary/budgetary deficiencies shall not constitute a defense (except as is found in 42 U.S.C.~~

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~~3251.6001 of RCRA) to any enforcement action brought against
the permittees based upon a violation of this permit.~~

I.F.4. Duty to Reapply

If the Permittees wishes to continue an activity regulated by this permit after the expiration date of this permit, or if the Permittees ~~are~~ required to initiate or continue post-closure care, the Permittees must apply for and obtain a new permit, in accordance with WAC 173-303-806(6) or 40 CFR Section 270.30(b) for HSWA provisions.

I.F.5. Permit Expiration and Continuation

This permit and all conditions herein will remain in effect beyond the permit's expiration date until final permit determination if the Permittees ~~has~~ have submitted a timely, complete application (under 40 CFR Section 270 Subpart B for HSWA provisions and WAC 173-303-806), and, through no fault of the Permittees, the Director or the Administrator have not made a final permit determination, through their respective authorities, as set forth in WAC 173-303-840 and 40 CFR Section 270.51 for HSWA provisions.

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1 I.F.6. Need to Halt or Reduce Activity Not a Defense

2
3 It shall not be a defense for the Permittees to argue, in
4 the case of an enforcement action, that it would have been
5 necessary to halt or reduce the permitted activity in order
6 to maintain compliance with the conditions of this permit.

7
8 I.F.7. Duty to Mitigate

9
10 In the event of noncompliance with the permit, the
11 Permittees shall take all reasonable steps to minimize
12 releases to the environment, and shall carry out such
13 measures as are reasonable to prevent significant adverse
14 impacts on human health or the environment. Such mitigation
15 shall not be a defense to enforcement.

16
17 I.F.8. Proper Operation and Maintenance

18
19 The Permittees shall at all times properly operate and
20 maintain all facilities and systems of treatment and control
21 (and related appurtenances) which are installed or used by
22 the Permittee to achieve compliance with the conditions of
23 this permit. Proper operation and maintenance includes
24 effective performance, ~~adequate funding~~, adequate operator
25 staffing and training, and adequate laboratory and process
26 controls, including appropriate quality assurance

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1 procedures. This provision requires the operation of backup
2 or auxiliary facilities or similar systems only when
3 necessary to achieve compliance with the conditions of the
4 permit.

5
6 I.F.9. Duty to Provide Information

7
8 ~~Subject to I.F. below,~~ the Permittees shall furnish to the
9 Director and the Administrator, within a reasonable time,
10 any relevant information which the Director and the
11 Administrator may request to determine whether cause exists
12 for modifying, revoking and reissuing or terminating this
13 permit, or to determine compliance with this permit. The
14 Permittees shall also furnish to the Director and the
15 Administrator, immediately upon request, copies of records
16 required to be kept by this permit.

17
18 I.F.10. Inspection and Entry

19
20 ~~Subject to Articles XXVII and XXV of the H.A.C.~~ the
21 Permittees shall allow the Director or the Administrator, or
22 authorized representatives, upon the presentation of agency
23 or department identification ~~and other documents required by~~
24 ~~law,~~ to:

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1 I.F.10.a. Enter/~~inspect~~ during operating hours and at all other
2 reasonable times where regulated or solid waste management
3 units or activities are located or conducted, or where
4 records must be kept under the conditions of this permit;
5

6 I.F.10.b. Have access to and copy, at reasonable times, any records
7 that must be kept under the conditions of this permit;
8

9 I.F.10.c. Inspect at reasonable times any portion of the facility,
10 equipment (including monitoring and control equipment),
11 practices, or operations regulated or required under this
12 permit; and,
13

14 I.F.10.d. Sample or monitor, at reasonable times, for the purposes of
15 assuring permit compliance or as otherwise authorized by
16 state law or RCRA (as amended by HSWA), for substances or
17 parameters at any location.
18

19
20 I.F.11. Monitoring and Records
21

22 I.F.11.a. ~~Samples~~ and measurements taken by the Permittees for the
23 purpose of waste, soil, air, and groundwater monitoring
24 shall be representative of the monitored activity. Sampling
25 methods shall be those specified in 173-303-110 or 40 CFR
26 Part 261. Analytical methods shall be as specified in Test

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Methods for Evaluating Solid Waste: Physical/Chemical

Methods SW-846, as amended, or an equivalent approved method on file with the Department and the Agency. Petitions to use an alternate test method must be submitted in accordance with WAC 173-303-910.

I.F.1**II**.b.

The Permittees shall retain at the unit(s) or other approved location as specified in Part III of this permit, records of all monitoring information, including all calibration and maintenance records, copies of all reports and records required by this permit, the certification required by 40 CFR Section 264.73(b)(9), and records of all data used to complete the application for this permit for a period of at least five (5) years from the date of the sample, measurement report, application, certification, or recording, unless a longer retention period for certain information is required by other conditions of this permit.

I.F.1**III**.c.

The Permittees shall retain at the facility, or other approved location, records of all monitoring and maintenance records, copies of all reports and records required by this permit, the certification required by 40 CFR Section 264.73(b)(9), and records of all data used to complete the application for this permit for a period of at least ten (10) years from the date of Certification of completion of Post-Closure care for the facility.

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I.F.11.d.

The record retention period may be extended by request of the Director and the Administrator at any time by notification, in writing, to the Permittees and is automatically extended during the course of any unresolved enforcement action regarding this facility to three years beyond the conclusion of the enforcement action.

I.F.11.e.

Records of monitoring information shall specify:

- the dates, times, and places of sampling or measurements, and the name, title and affiliation of the individual(s) who performed the sampling or measurement.

- the dates, techniques, and results of analyses, and the name, title and affiliation of the individual(s) who performed the analyses.

I.F.12.

Reporting Planned Changes

The Permittees shall give notice to the Director and the Administrator, as soon as possible of any planned physical alterations or additions to the permitted ~~units~~ facility. Such notice does not authorize any noncompliance with or modification of this permit.

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1 I.F.13. Certification of Construction or Modification

2
3 I.F.13.a. The Permittees may not commence storage, treatment or
4 disposal of dangerous wastes in a new or modified portion of
5 ~~permitted~~ the existing unit(s) until:
6

7 i. The Permittees ~~has~~ have submitted to the Director, by
8 certified mail or hand delivery, a letter signed by
9 the Permittee and an independent & registered
10 professional engineer stating that the facility has
11 been constructed or modified in accordance with this
12 permit; and
13

14 ii. The Director has inspected the modification or newly
15 constructed unit, and has notified the Permittee in
16 writing that he/she finds it is in compliance with the
17 conditions of this permit; or
18

19 iii. The Director has waived, in writing, the inspection,
20 or has not, within ~~thirty (30)~~ ~~fifteen (15)~~ calendar
21 days of the date of receipt of the Permittee's letter
22 submitted pursuant to permit condition I.F.13.a.i.,
23 notified the Permittees of his/her intent to conduct
24 an inspection.
25

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1 I.F.13.b. The Permittees shall certify any new construction required
2 pursuant to this permit has been constructed in accordance
3 with accepted/approved plans.

4
5 I.F.14. Anticipated Noncompliance

6
7 The Permittees shall give at least thirty (30) calendar days
8 advance notice, to the Director and the Administrator of any
9 planned changes in the permitted ~~unit~~ facility or activity
10 which might result in noncompliance with permit
11 requirements. If thirty (30) calendar days advance notice
12 is not possible, then the Permittees shall give notice
13 ~~immediately within 24 hours~~ after the time the Permittees
14 become aware of the anticipated noncompliance. Such notice
15 does not authorize any noncompliance with or modification of
16 this permit.

17
18 I.F.15. Transfer of Permits

19
20 This permit may be transferred to a new owner or operator
21 only if it is modified or revoked and reissued pursuant to
22 WAC 173-303-830(3)(b) and 40 CFR Section 270.40 for HSWA
23 provisions. Before transferring ownership or operation of
24 the facility during its operating life, the Permittees shall
25 notify the new owner or operator in writing of the
26 requirements of WAC 173-303-630 and -806 and this permit.

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1 I.F.16.

Immediate Reporting

2

3

4

5

6

7

8

9

10

11

12

13

14

15 I.F.16.a.

16

17

18

19

20

21

22

23

24 I.F.16.b.

25

26

The Permittees shall verbally report to the Director and the Administrator, any noncompliance with the permit ~~which may endanger health or environment~~. Any such information shall be reported ~~to the Director~~ as soon as the Permittees ~~becomes~~ become aware of the circumstances of the noncompliance, ~~and shall be reported to the Administrator within 24 hours after the Permittee becomes aware of the circumstances of the noncompliance~~. The immediate verbal report shall contain all the information needed to determine the nature and extent of any potential threat to human health and the environment, including the following:

Information concerning the release of any dangerous waste ~~which may endanger public drinking water supplies or hazardous substances (including radioactive substances) to the environment. For purposes of this condition, a release shall be defined as greater than one (1) pound of released material, greater than one (1) pint of released material or amount of released material above the Reportable Quantity (as identified in 40 CFR 302.4), whichever is less.~~

For releases of dangerous wastes ~~or hazardous substances, as identified above~~, which occur in an area not within the definition of environment, immediate reporting shall be

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1 required whenever the Contingency Plan(s) are implemented.
2 For purposes of this condition, Contingency Plan(s) shall
3 mean any contingency plan identified in Part II or Part III
4 of this permit.

5
6 I.F.I.c.

Information concerning the release or unpermitted discharge
7 of any dangerous waste or ~~hazardous substance~~ or of a fire
8 or explosion at the facility, which may potentially threaten
9 human health or the environment. The description of the
10 occurrence and its cause shall include ~~a description of the~~
11 ~~occurrence and its cause shall include~~ any information
12 necessary to fully evaluate the situation and to develop an
13 appropriate course of action. The report shall specifically
14 include:

- 15
16 i. Name, address, and telephone number of the owner or
17 operator;
18
19 ii. Name, address, and telephone number of the facility
20 and unit at that facility;
21
22 iii. Date, time, and type of incident;
23
24 iv. Name and quantity of material(s) involved;
25
26 v. The extent of injuries, if any;

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vi. An assessment of actual or potential hazard to the environment and human health, where this is applicable;

vii. Estimated quantity of released material that resulted from the incident; and,

viii. Actions which have been undertaken to mitigate the occurrence.

I.F.17.

Written Reporting

Within 15 calendar days of the time the Permittees become aware of noncompliance ~~that might endanger human health or the environment~~, the Permittees shall provide to the Director and the Administrator a written report. The written report shall contain a description of the noncompliance and its cause (including the information provided in the verbal notification); the period of noncompliance including exact dates and times; the anticipated time noncompliance is expect to continue if the noncompliance has not been corrected; corrective measures being undertaken to mitigate the situation; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

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1 I.F.18. Manifest Discrepancy Report

2
3 I.F.18.a For waste received from off-site whenever a significant
4 discrepancy in a manifest is discovered, the Permittees must
5 attempt to reconcile the discrepancy. If not resolved
6 within 15 days, the Permittees must submit a letter report
7 in accordance with WAC 173-303-370(4), including a copy of
8 the applicable manifest or shipping paper, to the Director.
9

10 ~~I.F.18.b For waste which is being transported within the Hanford~~
11 ~~Facility (i.e. onsite generated waste), whenever a~~
12 ~~significant discrepancy in the shipping papers (see~~
13 ~~Condition xxx) is discovered, the Permittees must attempt to~~
14 ~~reconcile the discrepancy. If not resolved within 15 days,~~
15 ~~the Permittees must submit a letter report in accordance~~
16 ~~with WAC 173-303-370(4), including a copy of the applicable~~
17 ~~manifest or shipping paper, to the Director.~~
18

19 I.F.19. Unmanifested Waste Report

20
21 ~~The Permittees shall not accept any off-site waste shipment~~
22 ~~not accompanied by a manifest or shipping paper. Whenever~~
23 ~~the Permittees receive waste which does not have a manifest~~
24 ~~or shipping paper accompanying it, the Permittees shall~~
25 ~~immediately notify the generator of the matter. Further,~~
26 ~~the Permittees shall xxx the shipment until the matter is~~

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~~resolved. The Permittees shall also file a report in
accordance with WAC 173-303-390(1) to the Director within
15 days of receipt of the unmanifested waste shipment.~~

I.F. ~~20~~.

Other Noncompliance

The Permittees shall report to the Director all instances of noncompliance not otherwise required to be reported elsewhere in this permit, at the time monitored reports or annual reports are to be submitted (whichever is more frequent). The reports shall contain the information listed in Permit Condition I.F.1~~8~~.b. of this permit as applicable.

I.F. ~~21~~.

Other Information

Whenever the Permittees become aware that they have failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Director or the Administrator, the Permittees shall promptly submit such facts or corrected information.

I.F. ~~22~~.

Reports, Notifications and Submissions

All reports, notifications or other submissions which are required by this permit to be sent or given to the Director

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1 and the Administrator should be sent certified mail or hand
2 delivered to:

3
4 Hanford Project Manager
5 Nuclear and Mixed Waste Management Program
6 Department of Ecology
7 Mail Stop PV-11
8 Olympia, WA 98504
9 Telephone: (206) 438-7021

10
11 and

12
13 Chief, Waste Management Branch
14 U.S. Environmental Protection Agency
15 Region 10
16 1200 Sixth Avenue, HW-12
17 Seattle, WA 98101
18 Telephone: (206) 442-xxxx

19
20 These are the current phone numbers and addresses and may be
21 subject to change. ~~The Department and Agency shall give~~

22 ~~Permittees notice of a change of address or telephone number.~~

23 It is the responsibility of the Permittees to ensure any
24 required reports, notifications or other submissions are
25 received by the appropriate agency representative.
26

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1 I.F.23. Annual Report

2

3 The Permittees shall comply with the annual reporting
4 requirements of WAC 173-303-390(2).

5

6 I.G. SIGNATORY REQUIREMENT

7

8 All applications, reports, or information submitted to the
9 Director or the Administrator shall be signed and certified
10 in accordance with WAC 173-303-180(12) and (13) or 40 CFR
11 Section 270.11 for HSWA provisions.

12

13 I.H. ~~CLASSIFIED AND BUSINESS~~ CONFIDENTIAL INFORMATION

14

15 ~~In addition to the restrictions on providing classified or~~

16 ~~business confidential information in Article XIV of the~~

17 ~~TRACO, which are incorporated in this paragraph, the~~

18 Permittees may claim confidential any information required
19 to be submitted by this permit, at the time of submission,
20 in accordance with WAC 173-303-810(15) or 40 CFR Part 2 and
21 40 CFR Section 270.12 for HSWA provisions.

22

23 I.I. DOCUMENTS TO BE MAINTAINED AT FACILITY SITE

24

25 The Permittees shall maintain at the facility, until closure
26 is complete and certified by an independent registered

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1 professional engineer, or post-closure care, when required,
2 has been completed and certified by an independent
3 registered professional engineer ~~and~~ hydrogeologist, the
4 following documents and amendments, revisions, and
5 modifications to these documents:
6

- 7 1. This permit and all attachments;
- 8
- 9 2. The Part B permit application(s) or Closure Plan(s);
10 and
11
- 12 3. The facility operating record.
13

14 I.J.

Permits for new units

15
16 I.J.1.

Prior to construction of any new ~~ISU~~ dangerous waste
17 management unit at the Facility, ~~which is not authorized as~~
18 ~~an interim status expansion activity,~~ the Permittees shall
19 submit and receive a final RCRA permit for the new unit
20 prior to initiation of construction for that unit.
21

22 I.J.2.

For purposes of this condition, a new unit is defined as any
23 unit not identified as an interim status unit in
24 Attachment ~~xx~~ ~~not authorized as an interim status expansion~~
25 ~~unit.~~
26

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I.J.3. The department, on a case by case basis may allow construction to begin for a new unit prior to receiving a final operating permit. For the department to grant such an allowance, the all of the following must be met:

a. The Permittees have ~~has~~ submitted a permit application for the unit,

b. The Permittees submit a formal request to the department which specifies all of the technical and regulatory necessities for proceeding without a permit,

~~c. Budget is not a reason for the request.~~

~~I.J.4. Nothing in this section shall limit the Permittee's ability to make changes during interim status in accordance with WAC 123-303-505.~~

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PART II - GENERAL FACILITY CONDITIONS

II.A. CLOSURE COST ESTIMATES

II.A.1. Cost Estimate for Facility ~~Unit~~ Closure

The Permittee must submit to the Department, on an annual basis, on or before October 30 of each calendar year, an updated closure cost estimate as set forth in WAC 173-303-395. This cost estimate must:

II.A.1.a. Be submitted for each unit which requires an approved closure plan as specified in the Unit Specific Conditions for each unit in Part III of this permit.

~~II.A.1.b. Be submitted as a total closure cost estimate for the entire facility.~~

II.A.3. Cost Estimate for Postclosure Monitoring and Maintenance

The Permittee must submit to the Department, on an annual basis and within 30 days of the end of the Permittee's fiscal year, an updated cost estimate for postclosure monitoring and maintenance as set forth in WAC 173-303-620(5) ~~395~~. This cost estimate must:

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1 II.A.3.a. Be submitted for each unit requiring postclosure monitoring
2 and maintenance or each unit which has an approved
3 Postclosure plan as specified in the Unit Specific
4 Conditions for each unit in Part III of this point.
5

6 ~~II.A.3.b. Be submitted as a total postclosure cost estimate for the~~
7 ~~entire facility.~~
8

9 II.B. SITE WIDE CONTINGENCY PLAN AND EMERGENCY PROCEDURES
10

11 The ~~Permittee~~ owners and operators shall follow all
12 procedures identified in the ~~Facility Wide~~ Westinghouse
13 Hanford Company Emergency Plan, WHC-CM-4-1 (Attachment ~~5~~xx).
14

15 II.C. SITE WIDE PREPAREDNESS AND PREVENTION
16

17 SEE ATTACHMENT ~~5~~xx
18

19 II.D. ~~FACILITY~~ SITE WIDE DANGEROUS WASTE PERSONNEL TRAINING
20

~~SEE ATTACHMENT 9~~
21

22 ~~II.E. SITE WIDE WASTE ANALYSIS PLAN~~
23

24 ~~Hanford Facility Radioactive Solid Waste Acceptance Criteria~~

25 ~~II.E.1.a. All Radioactive Mixed Waste received at Mixed Waste Storage~~
26 ~~Unit identified in Part III of this permit must at a minimum~~

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~~comply with the procedures set forth in the Hanford Site
Radioactive Solid Waste Acceptance Criteria, WHG EP 0063-2
(Attachment xx).~~

~~II.E.1.b. The following are modifications and/or additions to
Attachment xx:~~

~~II.E.1.b.i.~~

II.F. SITE WIDE BACKGROUND CONTAMINANT DETERMINATIONS

II.F.1. Submittal of Plan

II.F.1.a. Within Sixty (60) days of the effective date of this permit,
the Permittees shall submit a plan to the Department and the
Agency which details the methods to be used to determine
background contaminant concentrations for all ~~SD unit~~ areas
at the facility.

II.F.1.B. This plan must, at a minimum, contain methods for
determining background concentrations as follows:

- a. Determining soil and groundwater background for all
~~hazardous~~ constituents ~~(hazardous and radiological)~~
which may be present in the environment at the
facility.

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b. Determine soil and groundwater background levels for any area which historically or currently was the location of hazardous (including mixed waste) ~~TSR~~ waste management units.

II.F.1.C. This plan must be designed to ~~met~~ ~~meet~~ the requirements of this permit and of the past practices activities identified in the FFACO.

II.F.2. Incorporation of Plan Into The Permit

~~Upon approval by the Department and the Agency, the~~ plan will be incorporated into the permit, as an appendix, in accordance with the Class 3 permit modification procedures as defined in I.D.3. of this permit.

II.G. SITE WIDE QUALITY ASSURANCE/QUALITY CONTROL

All Quality Assurance/Quality Control documents written for work done under the authority of this permit will utilize the *Environmental Restoration Remedial Action Quality Assurance Requirements Document* (DOE/RL-90-28) to guide its preparation.

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1 II.H. SITE WIDE GROUNDWATER MONITORING

2
3 II.H.1. Purgewater Management

4
5 Purgewater shall be handled in accordance with the
6 requirements set forth in ~~Appendix xx~~, Strategy for
7 Handling and Disposing of Purgewater at the Hanford Site,
8 Washington, July 1990.
9

10 II.H.2. Groundwater and Vadose Zone Well Monitoring, Remediation and
11 Abandonment

12
13 II.H.2.a. The permittees shall implement the Groundwater and Vadose
14 Zone Well Monitoring, Remediation and Abandonment program
15 specified in Appendix xx of this permit.
16

17 II.H.2.b.i. All groundwater and vadose zone monitoring wells identified
18 in Appendix XX of this permit are considered to be part of
19 the RCRA monitoring well program. Wells other than those
20 identified in this appendix are specifically excluded from
21 this permit.
22

23 II.H.2.b.ii. The groundwater and vadose zone monitoring well list shall
24 be updated on an annual basis for inclusion into this
25 permit. The addition of new wells for inclusion shall be
26 considered a Class 1 modification. Any request by the

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1 Permittees to remove a well from this program shall be
2 considered a Class 2 modification.
3

4 II.H.2.c. The following are modifications to the procedures identified
5 in Appendix xx:
6

7 a. All wells used in the groundwater monitoring program
8 shall be inspected and evaluated per the procedures
9 identified in Appendix xx at least once per five (5)
10 years.
11

12 b.
13
14

15 II.H.3. Groundwater and Vadose Zone Well Construction
16

17 II.H.3.a. All groundwater and vadose zone wells constructed pursuant
18 to this permit must be constructed in compliance with the
19 standards set forth in WAC 173-160 and the RCRA Technical
20 Enforcement Guidance Document (OSWER 9950.1).
21

22 II.H.3.b. All existing groundwater and vadose wells which the
23 permittees wish~~es~~ to utilize for the RCRA monitoring program
24 but were constructed prior to the effective date of this
25 permit, must be evaluated per the Policy on Remediation of
26 Existing Wells and Acceptance Criteria for RCRA and CERCLA.

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1 June 1990 (Appendix xx). Only those wells meeting the
2 requirements set forth in this Policy may be included in the
3 RCRA monitoring program.
4

5 II.I. HAZARDOUS AND MIXED WASTE ~~FACILITY LOCATION~~ MANAGEMENT LAND
6 USE
7

8 Any ~~new~~ hazardous and/or mixed ~~TSO~~ waste management unit
9 which is not specifically identified in the FFACO ~~as a land~~
10 ~~based facility which undergoes expansion, or other unit~~
11 ~~which undergoes significant expansion (unless it~~
12 ~~demonstrates a net increase in protection of human health~~
13 ~~and the environment), or which undergoes expansion, must~~
14 comply with the siting standards set forth in WAC 173-303-
15 282. This requirement is only applicable to those units
16 which will actively manage hazardous ~~and/or~~ mixed waste.
17

18 II.J. SITE WIDE RECORDKEEPING AND REPORTING
19

20 In addition to the recordkeeping and reporting requirements
21 specified elsewhere in this permit, the Permittees shall do
22 the following:
23
24

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II.J.1. Operating Record

The Permittees shall maintain a ~~written~~ Facility Wide operating record until Closure and Corrective Action is complete and certified. Except as specifically identified below, the Permittees shall also record all information referenced in this permit in the operation record ~~within 48 hours of becoming available~~. A unit specific operating record must be maintained at each unit identified in Part III of this permit. Each unit specific operating record must be included in the Facility Wide Operating Record. Information required in each Unit specific operating record shall be identified on a unit by unit basis in Part III of this permit. The Facility Wide operating record shall include, but not be limited to, the ~~requirements of WAC 173-303-390 and 40 CFR 264.73. These records are identified in the Records and Reporting chapter of Part III of this permit.~~ following information:

- a. ~~A current map showing the location of all dangerous waste points of generation and dangerous waste management ~~TSU~~ units within the facility;~~
- b. ~~Records and results of each waste analysis performed in accordance with Part I or II of this permit;~~

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~~e. Assessment reports and details of all incidents that
require the issuance of an Unusual Occurrence Report,
xxx at a dangerous waste management unit, or the
implementation of the contingency plan;~~

~~d. Facility Wide Waste Analysis Plan;~~

~~e. Manifests and any required unmanifested shipment or
exception reports not specifically identified in a
Unit Specific Operating Record;~~

~~f. Facility Wide Contingency Plan;~~

~~g. Facility Wide Training Plan and related training
records;~~

~~h. Arrangements made pursuant to WAC 173 303 340;~~

~~i. Record of all spills and releases (including releases
of radioactive substances) not specifically reported
in a Unit Specific Operation Record;~~

~~j. All closure, interim measures and final corrective
action cost estimates and financial assurance
documents prepared pursuant to this permit;~~

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1 ~~k. Certifications pursuant to 40 CFR 264.73(b)(9);~~

2

3

4 ~~l. The information contained in the notice required by a~~
5 ~~generator under 40 CFR 268.7(a)(1), except for the~~
6 ~~manifest number; and,~~

7

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26

~~p. Annual Reports;~~

q. ~~Records of all monitoring information, including all
attribution and maintenance records for activities
conducted pursuant to Parts I and/or II of this
permit;~~

r. ~~Records of monitoring information shall include:~~

i. ~~The date(s), exact place, and times of sampling
and/or measurements, field observations,
ii. The name, title and affiliation of the
individual(s) who performed the sampling and/or
measurements;~~

iii. ~~The date(s) analyses were performed;~~

iv. ~~The name, title, and affiliation of the~~

~~individual(s) who performed the analyses;~~

v. ~~The analytical techniques or method used; and~~

vi. ~~The analytical results, including the QA/QC~~

~~summary-~~

s. ~~Summaries of all records of corrective action;~~

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~~t. Progress reports and any required notification;~~

~~u. All other environmental permits;~~

~~v. Corrective action deed notification;~~

~~w. Facility Wide Closure Plan.~~

II.J.2.

The Permittees shall by March 31 of each year submit to the Director and the Administrator a certification pursuant to 40 CFR 264.73(b)(9), signed in accordance with WAC 173-303-810(12) and (13), that the Permittees ~~has~~ have a program in place to reduce the volume and toxicity of dangerous waste that is generated to the degree determined by the Permittees to be economically practicable; and has determined that the proposed method of storage/treatment/disposal is the most practicable method currently available to the Permittees which minimizes the present and future threat to human health and the environment. Pursuant to 40 CFR 264.75(h) and (i), the Permittees shall describe, in a report attached to the certification, the efforts undertaken during the past year to reduce the volume and toxicity of waste generated. The report shall also describe the changes in volume and toxicity of waste actually achieved during the past year in comparison to previous years.

~~II-J.3. The Permittees shall comply with the Annual Report requirements of WAC 173 303 390(2).~~

~~II-K. CLOSURE~~

~~II-K.1. Facility Wide Closure Plan~~

~~II-K.1.a. On or before June 30, 1992, the Permittees shall submit to the Department and the Administrator, a Facility Wide Closure Plan. This plan shall detail all efforts needed to close the facility.~~

~~II-K.1.b. The Facility Wide Closure Plan shall include, but not be limited to the following:~~

~~i. Reference to the unit specific closure plans identified in Part III of this permit;~~

~~ii. Detailed closure activities, pursuant to WAC 173 303 610 which are not specifically identified in any of the unit specific closure plans in Part III of this permit;~~

~~iii. Methodology for ensuring a coordinated effort for all closure, facility wide and unit specific activities.~~

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- 1 ~~II.K.1.c. The Facility Wide Closure Plan will be incorporated into~~
2 ~~this permit as an Appendix. Incorporation of this closure~~
3 ~~plan shall be considered a Class 3 modification pursuant to~~
4 ~~II.D.xx of this permit.~~
5
6 ~~II.K.1.d. Incorporation by reference of the unit specific closure~~
7 ~~plans into the Facility Wide Closure Plan will be considered~~
8 ~~a Class 1 modification pursuant to II.D.xx of this permit.~~
9 ~~This shall not constitute authorization to classify the~~
10 ~~incorporation of a Unit Specific Closure Plan into Part III~~
11 ~~as a Class 1 modification.~~
12
13 ~~II.K.2. The Permittees shall close the facility in accordance with~~
14 ~~the Closure Plan (Appendix xx), pursuant to WAC 173 303 610.~~
15
16 ~~II.K.3. The Permittee shall amend the Closure Plan in accordance~~
17 ~~with WAC 173 303 610(3) and 830(3) and (4) whenever~~
18 ~~necessary.~~
19
20 ~~II.K.4. The Permittee shall notify the Department at least 180 days~~
21 ~~prior to the date the Permittees intend to begin Facility~~
22 ~~Wide Closure, pursuant to WAC 173 303 610(3)(c).~~
23
24 ~~II.K.5. In the case of a unit closure pursuant to Part III of this~~
25 ~~permit, the Permittees shall notify the Department at least~~
26 ~~180 days in advance, and shall complete closure activities~~

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~~in compliance with the Closure Plan (Appendix xx). The Permittees shall certify unit closure by an independent registered professional engineer at the time of completion of unit closure.~~

II.L. DESIGN AND OPERATION OF THE FACILITY

II.L.1. Proper Design and Construction

The Permittees shall design, construct, maintain, and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of dangerous waste constituents to air, soil, groundwater, or surface water which could threaten human health or the environment.

II.L.2. Proper Operation and Maintenance

The Permittees shall, at all times, properly operate and maintain in accordance with sound engineering and scientific practice, all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittees so as to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate laboratory and process controls including appropriate quality assurance

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1 procedures. This provision requires the operation of back-
2 up or auxiliary facilities ~~only when necessary to achieve~~
3 compliance with the conditions of this permit.
4

5 II.L.3. Minor Changes and As-Builts

6
7 II.L.3.a. The Permittees shall construct anything required by this
8 permit in accordance with the accepted plans, designs and
9 specifications that are required by this permit as
10 specified, except for minor changes deemed necessary by the
11 Permittees to facilitate proper construction of the units.
12 Minor deviations from the accepted designs or specifications
13 necessary to accommodate proper construction shall be noted
14 on the as-built drawings and the rationale for those
15 deviations shall be provided in narrative form. After
16 completion of construction, the Permittees shall submit a
17 summary of the revisions to the Director and the
18 Administrator as part of the construction certification
19 document specified in Permit Condition I.F.13.b. In
20 addition the as-built drawings and the narrative report
21 shall be placed in the operating record.
22

23 II.L.3.b. Any deviations from the accepted designs or specifications
24 which the Permittees, the Department or the Agency determine
25 should not be considered minor, shall be subject to a Class 2

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or Class 3 modification of this permit as identified in
condition II.D.xx ~~10.3~~ of this permit.

II.L.4. Facility Compliance

The Permittees in receiving, storing, handling, treating,
processing, and disposing of dangerous waste shall design,
operate and maintain the dangerous waste management facility
in compliance with all applicable federal, state and local
laws and regulations, including but not limited to the State
Dangerous Waste Regulations, Chapter 173-303 WAC.

II.M. RECEIPT OF DANGEROUS WASTES GENERATED OFF SITE

II.N.1. Waste From a Foreign Source

II.N.1.a. The Permittees shall notify the Director in writing at least
four (4) weeks in advance of the date the Permittees expect
~~expect~~ to receive dangerous waste from a foreign source, as
required by WAC 173-303-290. Notice of subsequent shipments
of the same waste from the same foreign source in the same
calendar year is not required.

~~II.N.1.b. Failure to submit the required notice within the required
time of condition II.C.1.a. shall result in the automatic
suspension of the ability for the facility to receive waste~~

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~~from a foreign source. The suspension shall be of a length
of at least one (1) year, but may be extended for additional
periods of time at the discretion of the Director.~~

II.M.2. Notice to Generator

II.M.2.a. The Permittees ~~are~~ authorized to receive wastes from
sources off-site only at those units specifically identified
in Appendix xx (Interim Status Units) Part III of this
permit as being authorized to receive such wastes ~~and such
other units which may later be identified through a Class 3
permit modification.~~ These wastes shall only be received
from generators with a valid State/EPA identification number
and shall be managed only under the conditions of this
permit. The Permittees must inform the generator in writing
that ~~Permittee has~~ he has the appropriate permits for and
will accept the waste the generator is shipping as required
by WAC 173-303-290(3). The Permittees must keep a copy of
this written notice as part of the operating record.

~~II.M.2.b. Failure to give proper notification to the generators of
waste and/or failure to maintain these notifications in the
facility operating record as required by condition II.M.2.a.
shall result in the immediate suspension of the authority of
the facility to receive off site waste. This suspension
shall be for a period of at least one (1) year, but may be~~

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~~extended for additional periods of time at the discretion of
the Director.~~

II.N. SECURITY

The Permittees shall comply with the security provision of WAC 173-303-310. For purposes of this permit, the existing security procedures shall be considered equivalent to WAC 173-303-310(2)(c), thereby not requiring an artificial or natural barrier around the facility. This equivalency is only for the boundary of the Facility and does not alleviate the Permittees from complying with this provision on a unit by unit basis.

II.O. GENERAL INSPECTION REQUIREMENTS

II.O.1. Facility Wide Inspection Program

II.O.1.a. Within 120 days of the effective date of this permit, the Permittees shall submit to the Department and the Agency, a plan which details methods and schedules for conducting inspections ~~at all units~~ on a Facility wide basis. This plan must include, but not be limited to:

a. Locations to be inspected.

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b. Frequency of inspections.

c. Inspection checklist.

d. Methods of inspection.

II.O.1.b. ~~Upon approval of the inspection plan, this~~ plan shall be incorporated into the permit as an Attachment. This shall be considered a Class 2 Modification pursuant to condition 1.D.3.

II.O.2. Results of Inspections

The Permittees shall remedy any deterioration or malfunction discovered by an inspection as required by WAC 173-303-320(3). Records of inspections shall be kept as required by WAC 173-303-320(2)(d) and Attachment ~~12~~xx.

II.P. MANIFEST SYSTEM

The Permittees shall comply with the manifest requirements of WAC 173-303-370.(2), (3), (4), and (5).

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II.Q. ON-SITE TRANSPORTATION

~~All on-site transportation of dangerous and/or mixed waste shall be done in accordance with WAC 173 303 240, WAC 173 303 250, WAC 173 303 260, and WAC 173 303 270. All onsite transportation will be accomplished in a manner to ensure protection of onsite workers, the environment, and the public.~~

II.T. EQUIVALENT MATERIALS

II.T.1. If certain equipment, materials, and administrative information (such as names, phone numbers, addresses), are specified in this permit, the Permittee is allowed to use an equivalent. Use of such equivalent items shall not be considered a modification of the permit, but the Permittee must place in the operation record such a revision, accompanied by a narrative explanation, and the date the revision became effective. The Department may judge the soundness of the equivalency determination during inspections or other permit review activities of the facility and take appropriate action.

II.T.2. The Permittees must notify, on a quarterly basis, if any equivalent materials have been utilized.

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1 II.T.3. Upon the Department's determination, the Permittees may, at
2 a minimum, be required to cease the use of any equivalent
3 equipment, materials, and administrative information as
4 described in II.T.1. above.
5

6 II.U. LAND DISPOSAL RESTRICTIONS
7

8 Unless specifically identified otherwise in the FFACO, ~~or~~
9 ~~unless an appropriate waiver or variance has been otherwise~~
10 ~~obtained~~ the Permittees must comply with all Land Disposal
11 Restriction requirements as set forth in 40 CFR 268.
12

13 II.X. ACCESS AND INFORMATION
14

15 To the extent that work required by this permit must be done
16 on property not owned or controlled by the Permittees, the
17 requirements set forth in Paragraph 106 of the FFACO is
18 specifically incorporated into this permit.
19

20 II.Y. OTHER PERMITS AND/OR APPROVALS
21

22 II.Y.1. To the extent that work required by this permit must be done
23 under a permit(s) and/or approval(s) pursuant to other
24 regulatory authorities, the Permittees shall use ~~its~~ their
25 best efforts to obtain such permits. For the purposes of
26 this permit condition, "best efforts" shall mean submittal

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1 of a complete application for the permit(s) and/or
2 approval(s) ~~at the earliest opportunity~~ no later than sixty
3 ~~(60) calendar days~~ after the information necessary to
4 prepare the application is available to the Permittees—
5 "Best efforts" shall also mean submittal of the complete
6 application for the permit(s) and/or approval(s) with lead
7 time for issuance of such permit(s) and/or approval(s) as is
8 typical for that action. Copies of all actions pursuant to
9 this permit condition shall be kept in the operating record.

10
11 ~~II.Y.2.a. All other permits incorporated into this permit will be~~
12 ~~severable and enforceable through the permitting authority~~
13 ~~for which they are enacted.~~

14
15 ~~II.Y.2.b. All other permits incorporated into this permit as~~
16 ~~identified in Section III, will be enforceable conditions of~~
17 ~~this permit as well as through the regulatory authority for~~
18 ~~which the permit is issued.~~

19
20 II.Z. SCHEDULE EXTENSIONS

21
22 II.Z.1. To the extent that activities required by this permit are
23 not completed in accordance with the schedules of this
24 permit ~~as extended under II.Z.2.~~, and the Permittee can
25 demonstrate to the Director and the Administrator's
26 satisfaction that the Permittee used best efforts to

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1 accomplish the activity within the required schedule, the
2 Director and the Administrator shall grant the Permittee an
3 extension to the schedule. Copies of all letters shall be
4 kept in the operation record.

5
6 For purposes of this permit condition "best efforts" shall
7 include performance of all activities necessary to award
8 contract(s) to outside contractors at the earliest
9 opportunity after the information necessary to award the
10 contract(s) is available to the Permittee. "Best efforts"
11 shall also mean adequate planning, ~~adequate funding,~~
12 adequate operator staffing, adequate laboratory and process
13 controls, and operation of a backup or auxiliary facility or
14 similar systems by the Permittees when necessary to meet the
15 schedules of this permit.

16
17 The Permittees shall notify the Department and the Agency,
18 in writing, as soon as possible, of any deviations or
19 expected deviations from the schedules of this permit. The
20 Permittee shall include with the notification all
21 information supporting its claim that it has used best
22 efforts to meet the required schedules. If the Director and
23 the Administrator determine that the Permittees ~~has~~ made
24 best efforts to meet the schedules of this permit, the
25 Director and the Administrator shall notify the Permittees
26 in writing by certified mail that the Permittees have ~~has~~

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1 been granted an extension. Such a revision shall not
2 require a permit modification under ~~xx-xx-xx~~ ~~I.D.3~~ of this
3 permit. ~~Should the Director and/or the Administrator~~
4 ~~determine that the Permittees have not made best efforts to~~
5 ~~meet the schedules of this permit, the Director and/or the~~
6 ~~Administrator may take such action as deemed necessary.~~

7
8 II.Z.2.

9 Any schedule extension granted through the approved change
10 control process identified in the FFACO will be incorporated
11 into this permit. Such a revision shall not require a
12 permit modification under I.D.3. of this permit.

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PART III - UNIT SPECIFIC CONDITIONS

CHAPTER 1

616 Non-Radioactive Dangerous Waste Storage Facility

The 616 Non-Radioactive Dangerous Waste Storage Facility is an active storage unit for non-radioactive, dangerous wastes which are being shipped to off-site, commercial treatment or disposal facilities. This chapter sets forth the operating conditions for this unit.

III.1.A. COMPLIANCE WITH APPROVED PERMIT APPLICATION

The Permittees shall comply all requirements set forth in the 616 Nonradioactive Dangerous Waste Storage Facility Permit Application (to include all attachments and references identified in the application) as found in Attachment xx including the amendments described below.

III.1.B. AMENDMENTS TO THE APPROVED PERMIT APPLICATION

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CHAPTER 2

~~193 H Solar Evaporation Basin~~

~~The 193 H Solar Evaporation Basins are inactive units which are currently undergoing permanent closure activities. This unit was operated as an evaporation treatment unit for radioactive, mixed dangerous wastes. This chapter sets forth the closure requirements for this unit.~~

~~III.2.A. COMPLIANCE WITH APPROVED CLOSURE PLAN~~

~~The Permittees shall comply with all requirements set forth in the 193 H Solar Evaporation Basin Closure Plan as found in Attachment XX.~~

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~~CHAPTER 3~~

~~300 Area Solvent Evaporator~~

~~The 300 Area Solvent Evaporator (300 ASE) is an inactive unit which is currently undergoing permanent closure activities. This unit was a solvent evaporation process for non-radioactive solvent containing~~

~~III.3.A. COMPLIANCE WITH APPROVED CLOSURE PLAN~~

~~The Permittees shall comply with all requirements of the 300 Area Solvent Evaporator Closure Plan as found including the amendments described below.~~

~~III.3.B. AMENDMENTS TO THE APPROVED CLOSURE PLAN~~

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~~CHAPTER 4~~

~~Simulated High Level Waste Treatment and Storage Unit~~

~~The Simulated High Level Waste Treatment and Storage Unit is inactive and currently undergoing permanent closure. This unit was a test solidification treatment and storage unit for nonradioactive, simulated waste. The unit was intended to demonstrate the solidification technology on waste chemically similar in composition to high level radioactive waste.~~

~~III.4.A. COMPLIANCE WITH APPROVED CLOSURE PLAN~~

~~The Permittees shall comply with all requirements set forth in the Simulated High Level Waste Treatment and Storage Unit Closure Plan as found in Attachment xx including the amendments described below.~~

~~III.4.B. AMENDMENTS TO THE APPROVED CLOSURE PLAN~~

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PART IV - CORRECTIVE ACTIONS FOR CONTINUING RELEASES

IV.A. SCHEDULES FOR RCRA FACILITY INVESTIGATIONS (RFI)

IV.A.1. Integration With The FFACO

As identified in condition ~~x-x-x~~ I.A.2 of the permit, ~~the provisions of the FFACO, including~~ the schedules for investigation and remedial actions for those units which are currently identified in the FFACO as RCRA Past Practices are incorporated into this permit. ~~Compliance with the FFACO and corrective action conditions developed under the FFACO and incorporated into this permit shall satisfy all substantive corrective action requirements of RCRA and HSWA.~~

IV.A.2. Those units designated as CERCLA Past Practice (CPP) in the FFACO are not subject to the conditions of this permit ~~until and unless the FFACO is terminated in which case Condition I.A.2.b. of this permit shall control.~~ ~~but compliance with the FFACO as to such units shall satisfy all corrective action requirements of RCRA and HSWA.~~

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1 IV.A.3. Units Not Within the Scope of the FFACO

2
3 Those Solid Waste Management Units (SWMUs) which are not subject
4 to the FFACO, shall be subject to the RFI/CMS process as
5 identified in Table xx.

6
7 IV.B IMPLEMENTATION OF RFI/CMS

8
9 IV.B.1. Integration with the FFACO

10
11 IV.B.1.a. Operable Unit work plans submitted per the requirements of the
12 FFACO shall be prepared and reviewed in accordance with the
13 provisions set forth in the FFACO (Section 7.4 of the FFACO ~~Action~~
14 ~~Plan~~).

15
16 IV.B.1.b. Upon approval of a work plan, that work plan shall be incorporated
17 into the permit as an attachment. Incorporation, due to the
18 public comment required through the FFACO, shall be considered a
19 Class 1 modification as identified in condition I.D.3.

20
21 IV.B.2. Units Not Within the Scope of the FFACO

22
23 For SWMUs not subject to the FFACO, the requirements set forth in
24 conditions IV.B.3. - IV.B.x. of this permit will control.

25

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1 ~~IV.B.3. US Ecology~~

2
3 ~~IV.B.3.a. Closure and Perpetual Care and Maintenance must be conducted per~~
4 ~~the requirements identified in Chapter 3.3 (Multiple Layer Design)~~
5 ~~of the Closure and Perpetual Care and Maintenance of the~~
6 ~~Commercial Low Level Radioactive Waste Disposal Facility on the~~
7 ~~Hanford Reservation Phase Two Report.~~

8
9 ~~IV.B.3.b. A definitive plan incorporating the above referenced document must~~
10 ~~be submitted on or before July ~~1991~~, 1992 for review. Upon review,~~
11 ~~modification and final approval of the plan, this document will be~~
12 ~~incorporated into this permit following the modification~~
13 ~~procedures identified in Condition I.B.3. of this permit.~~

14
15 ~~IV.B.4. Midway Landfill~~

16
17 ~~IV.B.4.a. The Midway Landfill RFI will proceed according to the procedures~~
18 ~~and schedule set forth in the Midway Landfill Sampling and~~
19 ~~Analysis Plan (Attachment xx).~~

20
21 ~~IV.B.4.b. Within six (6) months of completion of the Midway Landfill RFI, a~~
22 ~~GMS will be submitted to the Department and the Agency for review.~~
23 ~~Upon approval of this document, it will be incorporated into this~~
24 ~~permit according to the procedures outlined in Condition I.B.3.~~

As of ~~12/7/99~~

Permit #: WAD-
Expiration Date: ~~April 1~~ March 1, Pa

1 ~~IV.B.5. Ash Site Pine Substation~~

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Subject: SUGGESTED REVISIONS TO HANFORD FACILITY DANGEROUS WASTE PERMIT DRAFT

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